



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Northwest Region  
7600 Sand Point Way N.E., Bldg. 1  
Seattle, WA 98115

Refer to:  
2003/00339

March 2, 2004

Mr. Fred Patron  
U.S. Department of Transportation  
Federal Highway Administration  
The Equitable Center, Suite 100  
530 Center Street NE  
Salem, OR 97301

Re: Second Amendment to the June 27, 2003, Biological Opinion for Quarry (Grande Ronde River) Bridges Replacement Project, Union County, Oregon

Dear Mr. Patron:

On June 27, 2003, NOAA's National Marine Fisheries Service (NOAA Fisheries) issued the biological opinion (Opinion) identified above (NOAA Fisheries No. 2003/00339). On August 12, 2003, the Opinion was amended to include drilling activities and the installation of a gravel work pad. Since then, staff of NOAA Fisheries and the Oregon Department of Transportation found another error affecting the in-water work period as described in the terms and conditions of the incidental take issued with the Opinion. Term and Condition 1(a)(ii), as provided in the June 27, 2003, Opinion says

All work within the active channel that could potentially contribute sediment or toxicants to downstream fish-bearing systems will be completed within the ODFW-approved in-water work period except that, in 2003, work may begin on June 15.

The term and condition was intended to read so that work was authorized to begin on June 15 in 2003 and in 2004. Accordingly, this Term and Condition is hereby amended to read as follows


All work within the active channel that could potentially contribute sediment or toxicants to downstream fish-bearing systems will be completed within the ODFW-approved in-water work period except that, in 2003 and 2004, work may begin on June 15.

All other terms and conditions of the June 27, 2003, incidental take statement are unchanged and remain in full force and effect. A copy of this letter will be posted with the June 27, 2003, opinion on NOAA Fisheries' website.



We apologize for any inconvenience this error may have caused. I appreciate the interest you and your staff have in assuring we have common understanding of our efforts. If you have further questions, please do not hesitate to contact Tom Loynes at 503.231.6892 or my staff in the Oregon State Habitat Office.

Sincerely,

  
for D. Robert Lohn  
Regional Administrator

cc: Greg Apke, ODOT  
Molly Cary, ODOT  
Nick Testa, ODOT  
Jon Adkins, Mason, Bruce and Girard, Inc.